

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No 05-1044-B5; (EX04-044C-US))

In the Application of:)
Costa et al.)
Serial No.: 10/556,937) Examiner: Gebreyesus, K.
Filing Date: October 31, 2006) Group Art Unit: 1656
For: MARKS as Modifiers of the PTEN) Confirmation No. 6980
Pathway and Methods of Use)

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is filed in response to the restriction requirement mailed on October 12, 2007 in the above-mentioned application. Applicants have submitted a request for a five month extension of time with appropriate fee. It is believed that no further fee is due in connection with this filing. However, if a fee is due the Commissioner is authorized to charge our deposit account 13-2490.

With respect to the restriction requirement, Applicant hereby elects with traverse Group II, claims 1, 8, 9, 10, 11, 12, 16, 17, 18, and 19, allegedly drawn to a method of identifying a candidate PTEN pathway modulating agent comprising providing an assay system comprising a MARK nucleic acid, for prosecution on the merits.

If the Examiner has any questions regarding this response, he is invited to call the undersigned attorney.

Respectfully submitted,

Dated: April 14, 2008

/Anita J. Terpstra/
Anita J. Terpstra, Ph.D.
Registration No. 47,132